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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,543	11/25/2003	Jong Seok Kim	9988.083.00-US	9113

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MCKENNA LONG & ALDRIDGE LLP
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WASHINGTON, DC 20006

EXAMINER

PERRIN, JOSEPH L

ART UNIT	PAPER NUMBER
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1746

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/720,543

Applicant(s)

KIM ET AL.

Examiner

Joseph L. Perrin, Ph.D.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22, 25-38 and 41 is/are rejected.
- 7) ☒ Claim(s) 23, 24, 30, 39 and 40 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____ |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :20060818; 20060517; 20060328; 20060213; 20051004; 20050215; 20040602.

DETAILED ACTION

Election/Restrictions

1. Applicant's response in the reply filed on 16 February 2007 is acknowledged and the arguments are found persuasive. Accordingly, the Restriction Requirement between claims 1-41 is withdrawn.

Information Disclosure Statement

2. The information disclosure statement filed 13 February 2006 fails to comply with 37 CFR 1.98(a)(1), which requires the following: (1) a list of all patents, publications, applications, or other information submitted for consideration by the Office; (2) U.S. patents and U.S. patent application publications listed in a section separately from citations of other documents; (3) the application number of the application in which the information disclosure statement is being submitted on each page of the list; (4) a column that provides a blank space next to each document to be considered, for the examiner's initials; and (5) a heading that clearly indicates that the list is an information disclosure statement. The information disclosure statement has been placed in the application file, but the information referred to therein has not been considered.

3. The information disclosure statement filed 04 October 2005 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information of each patent listed that is not in

the English language. It has been placed in the application file, but the information referred to therein has not been considered.

Drawings

4. The drawings are objected to because in Figure 9C the illustration for reference numeral (440) is missing (see comparison between 9C and 9A-B). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

5. The disclosure is objected to because of the following informalities: In paragraph [0045], line 3, the reference numeral for the base plate is incorrect. The reference numeral (140) should be corrected to (110) for the base plate. Appropriate correction is required.

Claim Objections

6. Claim 30 is objected to because of the following informalities: Claim 30 includes numbers (apparently directed to reference numerals) and is divided into two sentences. Appropriate correction is required.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-13, 15, 19-22 & 35-36 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,618,193 to CUTHBERT et al. ("CUTHBERT"). Re claims 1-13, CUTHBERT discloses a washing machine with conventional rotary motor & tub surrounded by a cabinet body comprising a base plate (22), side panels (18/20) at side edges of the base plate, a rear panel (16) at rear edges of the base plate and side panels, a top panel (12) on top edges of the other vertical panels, and a front panel (14)

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rotatably engaged with and detachably mounted on a front part of the body, particularly being rotatably/pivotably mounted on the lower edge via symmetrically arranged catching devices (tabs 62) extending outward and upward from the base panel and insertable into slots (74) on the bottom of the front panel which comprises horizontal bent part (50) and vertical bent part (52) (see Figures 1-4 and relative associated text). Re claim 15, vertical wall (58) reads on a lower reinforcing plate. Re claims 19-20, the side panels of CUTHBERT include a groove formed at the bottom (see bottom of panel 20 in Figure 1) which is fully capable of performing the claimed intended use of receiving wires/hoses. Re claim 21, when side panel is made integral with bottom panel (22), the groove is formed and comprises a horizontal portion and vertical portion (80) (see Figures 1-2) which is readable on the claimed groove. Even if, arguendo, one were to argue that the groove is not formed by the side panel the position is taken that one having ordinary skill in the art at the time the invention was made would have at once envisaged using the clearly shown horizontal and vertical bottom of the front wall (14) as the bottom of the other walls since it would have been common knowledge to use the additional vertical portion (52) for increased wall support. Re claim 22, CUTHBERT further discloses means for guiding the front panel to a position in the front part of the body and fastened to the body upon mounting the front panel and rotatably engaging the front panel to the body (see pins 96 on the front panel which correspond to slots 98 of the side panels upon engaging the front panel with the cabinet body).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

11. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

12. Claims 14 & 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over CUTHBERT. Recitation of CUTHBERT is repeated here from above. While CUTHBERT discloses the body having further projections (72) extending from the lower

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part thereof which are capable of guiding and holding the lower portion (76) of the vertical bent part, CUTHBERT does not disclose the further projections for guiding and holding the upper portion of the vertical bent part. It would have been obvious to one having ordinary skill in the art at the time the invention was made to rearrange the further projections to guide and hold the vertical bent part from the lower portion to the upper portion, as claimed, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70. Regarding claim 18, the intended use of how the structure is formed (i.e. method of manufacture) does not patentably distinguish the structural limitations in apparatus claims.

13. Claims 25-31 rejected under 35 U.S.C. 103(a) as being unpatentable over CUTHBERT in view of U.S. Patent Publication No. 2002/0190617 to BANICEVIC et al. ("BANICEVIC"). Recitation of CUTHBERT is repeated here from above. Although CUTHBERT discloses side flanges on the front panel CUTHBERT does not appear to disclose a reinforcement bracket connecting the side flanges. BANICEVIC teaches that it is known in the appliance art to provide a front wall of an appliance with brackets (86) connecting the side flanges via cutouts with fastening holes for the purpose of bracing and stabilizing the front wall/door (see paragraphs [0029]-[0030]). Therefore, the position is taken that it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the appliance front wall of CUTHBERT with the reinforcing braces of BANICEVIC in order to provide improved bracing/stabilization to the appliance wall. Regarding the claimed fastening means, BANICEVIC discloses the use of screws (paragraph [0025]). Absent unexpected results, the position is taken

that it would have been obvious to fasten the brackets by any common knowledge fastening means such as screws.

14. Claims 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over CUTHBERT in view of BANICEVIC, and further in view of U.S. Patent No. 2,174,107 to KENNEY. Recitation of CUTHBERT & BANICEVIC are repeated here from above. While the combination of CUTHBERT and BANICEVIC discloses an appliance cabinet with a front panel having a reinforcing bracket, neither appears to disclose using rubber members to dampen vibration. Initially, the position is taken that it is common knowledge in the appliance art to provide rubber members to dampen vibration. KENNEY teaches that it is known to provide a cabinet bracket with rubber bushings or the like "to minimize transmission of vibration from the cabinet to the panel". Therefore, the position is taken that it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the appliance front wall and bracket assembly of CUTHBERT & BANICEVIC with the rubber bushings of KENNEY in order to provide reduced vibration in a cabinet wall.

15. Claims 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over CUTHBERT in view of U.S. Patent No. 5,557,827 to LAUTENSCHLAGER et al. ("LAUTENSCHLAGER"). Recitation of CUTHBERT is repeated here from above. While CUTHBERT discloses flanges on the front panel CUTHBERT does not expressly disclose reinforcing beads on the flanges. LAUTENSCHLAGER teaches that it is well

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known in the cabinet art (mechanical art) to provide a flange with reinforcing bead for improved strength and stiffening of the flange (see col. 1, lines 46-54). Therefore, the position is taken that it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the cabinet panel flange of CUTHBERT with reinforcing bead to improve the strength and stiffening of the flange.

16. Claims 37-38 & 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over CUTHBERT in view of U.S. Patent No. 4,307,588 to SMITH et al. ("SMITH"). Recitation of CUTHBERT is repeated here from above. CUTHBERT discloses the claimed invention with the exception of an upper reinforcing plate mounted on the front part of the body. SMITH teaches it is known to provide a front part of a washing machine cabinet with a reinforcing plate (10') for stiffening purposes (see Figure 1 and relative associated text). SMITH also discloses the reinforcing plates being constructed "of folded sheet metal" and "folded to angle formation" which would form a channel and increase the stiffness of the reinforcing plate. Therefore, the position is taken that it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the washing machine cabinet body front part of CUTHBERT with the reinforcing plate of SMITH in order to provide stability of the cabinet. Regarding the location of the reinforcing plate (i.e. "upper"), such language is relative terminology and recitation of SMITH reads on being an "upper reinforcing plate". Even if, arguendo, one were to construe the reinforcing plate of SMITH as not being an "upper" plate, the position is taken that the simple relocation of the reinforcing plate on the front part of the

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body would have been an obvious modification since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70.

Allowable Subject Matter

17. Claims 23-24 & 39-40 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

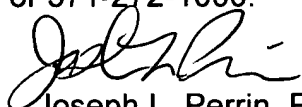
18. While the International Search Report of 11 March 2004 contains multiple "X" references and appears to read on some of the claims, the cited art is deemed most pertinent and therefore the "X" references are not relied upon at this time.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph L. Perrin, Ph.D. whose telephone number is (571)272-1305. The examiner can normally be reached on M-F 7:00-4:30, except alternate Fridays.

20. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael E. Barr can be reached on (571)272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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21. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Joseph L. Perrin, Ph.D.
Primary Examiner
Art Unit 1746

JLP